

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00
DOTE-00 EB-08 INR-07 NSAE-00 FAA-00 L-03 SS-15
NSC-05 /053 W
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P R 122029Z OCT 77
FM AMEMBASSY PARIS
TO SECSTATE WASHDC PRIORITY 0201
INFO AMEMBASSY LONDON

C O N F I D E N T I A L SECTION 01 OF 02 PARIS 29910

E.O. 11652: GDS
TAGS: EAIR, FR, UK, US
SUBJ: CIVAIR: CONCORDE

REF: STATE 244005

1. BEGIN SUMMARY: ON OCTOBER 11, THE AMBASSADOR AND STATE SECRETARY FOR TRANSPORT CAVAILLE REVIEWED THE CONCORDE SITUATION AND DISCUSSED OTHER ASPECTS OF CIVIL AVIATION COOPERATION. THE AMBASSADOR STRESSED THE IMPORTANCE OF KEEPING CLEARLY IN MIND FEDERAL VERSUS LOCAL ASPECTS OF THE CASE AND EXPRESSED HOPE THAT THE CONCORDE AFFAIR IS NOW ON THE ROAD TO SOLUTION. CAVAILLE EMPHASIZED DOMESTIC FRENCH REACTIONS; INSISTED HE HAS PERSONALLY RESISTED PRESSURES TO THREATEN RETALIATION; BUT WARNED THAT IF, FOLLOWING SUPREME COURT ACTION, THE PORT AUTHORITY TRIES TO SET NORMS TO KEEP OUT CONCORDE, THERE WILL BE A "POLITICAL CRISIS" IN OUR RELATIONS. END SUMMARY.

2. THE AMBASSADOR FIRST REMINDED CAVAILLE OF THE BASIC FACTS OF THE CONCORDE PROBLEM AS THEY APPEAR TO THE U.S. GOVERNMENT INCLUDING FEDERAL/LOCAL ASPECTS AND SOME OF THE POLITICAL PRESSURES IN
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NEW YORK. HE EMPHASIZED THAT THE FEDERAL GOVERNMENT HAS MADE A MAJOR EFFORT TO BE HELPFUL. HE NOTED THAT THE PROPOSED EXCEPTION FOR THE 16 CONCORDES IN SECRETARY ADAMS' SEPTEMBER 23 ANNOUNCEMENT SHOULD BE SEEN AS A POSITIVE STEP. THE IMPORTANT THING IS THAT THE MATTER IS PROGRESSING EXPEDITIOUSLY IN THE COURTS. HE HOPED THERE WOULD SOON BE A FAVORABLE

SOLUTION.

3. CAVAILLE EMPHASIZED THE DIFFICULTY FRENCH PUBLIC OPINION HAS IN UNDERSTANDING THE U.S. SYSTEM -- THAT LOCAL AUTHORITIES CAN ACT CONTRARY TO THE POLICY OR DESIRES OF THE CENTRAL AUTHORITY OR TO "INTERNATIONAL AGREEMENTS." (COMMENT: WE DID NOT PICK UP CAVAILLE'S REFERENCE TO "INTERNATIONAL AGREEMENTS" SINCE THAT POINT HAS BEEN COVERED ON VARIOUS OTHER OCCASIONS.)

4. CAVAILLE SAID THAT, APART FROM THE IMMEDIATE SPECIFIC QUESTION OF EMPLOYMENT IN THE TOULOUSE AREA, CONCORDE HAS BEEN AND WILL BE AN ECONOMIC FAILURE. ON THE OTHER HAND, IT IS A TECHNOLOGICAL SUCCESS. THE FRENCH PUBLIC IS "EMOTIONALLY ATTACHED" TO CONCORDE BOTH BECAUSE IT REPRESENTS A MAJOR TECHNOLOGICAL ACHIEVEMENT AND -- PERHAPS PERVERSELY -- JUST BECAUSE SO MUCH MONEY HAS BEEN PUT INTO THE PROJECT.

5. CAVAILLE MAINTAINED THAT, WHILE HE HAS SPOKEN OUT IN CRITICISM OF THE U.S., HE HAS RESISTED PRESSURES TO THREATEN RETALIATION. HE SAID THAT HE HAS CONFIDENCE IN THE U.S. JUDICIAL SYSTEM AND, SPECIFICALLY, IN THE SUPREME COURT. HIS MAIN FEAR IS THAT FOLLOWING WHAT HE EXPECTS WILL BE A FAVORABLE CONFIDENTIAL

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OUTCOME IN THE COURTS, THE PORT AUTHORITY WILL RESORT TO SOME NEW ARTIFICE. SPECIFICALLY, HE BELIEVES THE AUTHORITY WILL TRY TO ESTABLISH NORMS WHICH APPEAR NONDISCRIMINATORY BUT ARE IN FACT HIGHLY DISCRIMINATORY; I.E., EXCLUDING CONCORDE. SHOULD THIS HAPPEN, CAVAILLE SAID, THERE WILL BE A "POLITICAL CRISIS" IN OUR RELATIONS. SOME SPECIFIC RETALIATION WOULD BECOME ALMOST UNAVOIDABLE. CAVAILLE ADDED THAT FRENCH IRE IS INCREASED BY THEIR CONVICTION THAT THE PORT AUTHORITY HAS "ACTED IN BAD FAITH" FROM THE BEGINNING. DATA WERE REQUESTED AND STUDIES MADE. FRANCE COOPERATED. THE FRENCH GOVERNMENT CAME TO REALIZE ONLY GRADUALLY THAT THE AUTHORITY'S OVERRIDING OBJECTIVE WAS TO AVOID ANY DECISION AT ALL.

6. AMBASSADOR HARTMAN EXPRESSED THE HOPE THAT THE MATTER WOULD SOON BE RESOLVED. WHILE ONE COULD NOT PREJUDGE WHAT MIGHT HAPPEN IN THE FUTURE, HE PERSONALLY THOUGHT THAT THE FEDERAL GOVERNMENT WOULD DO WHATEVER WAS APPROPRIATE SHOULD THE PORT AUTHORITY COME UP WITH DISCRIMINATORY NORMS. (CAVAILLE DID NOT

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C O N F I D E N T I A L SECTION 02 OF 02 PARIS 29910

RAISE THE QUESTION OF DE GUIRINGAUD'S REQUEST TO
SECRETARY VANCE REGARDING AN AMICUS BRIEF. ACCORDINGLY,
WE DID NOT USE THE REFTEL INFO WITH CAVAILLE BUT ARE
INSTEAD CONVEYING IT TO THE QUAI.)

7. IN RESPONSE TO THE AMBASSADOR'S QUESTIONS, CAVAILLE
THEN REVIEWED OTHER QUESTIONS BEARING ON US-FRENCH
CIVIL AVIATION COOPERATION ALONG LINES PREVIOUSLY
REPORTED. HE AGREED WITH THE AMBASSADOR THAT THE
FUTURE OF AIRBUS IS MORE IMPORTANT ECONOMICALLY,
"THOUGH NOT POLITICALLY," THAN THE CONCORDE. CAVAILLE
SAID HE EARNESTLY HOPES THAT, VIA THE EASTERN AIRLINES
TRIAL, AIRBUS CAN ENTER THE U.S. MARKET. OVER THE
LONG TERM, IT CAN BE A SUCCESS ONLY IF IT CAN BE SOLD
IN THE U.S. CAVAILLE THEN TURNED TO OTHER EFFORTS AT
COOPERATION INVOLVING DOUGLAS-DASSAULT AND BOEING.
THUS FAR, THESE HAD NOT BORNE FRUIT. FOR EXAMPLE,
DOUGLAS HAD DECIDED TO BUILD A NEW VERSION OF THE
DC-9 WHICH, IN FRANCE'S OPINION, LEFT NO ROOM FOR
JOINT DEVELOPMENT OF A NEW PLANE. CAVAILLE STRESSED
THAT FRANCE WANTS BOTH TO BROADEN EUROPEAN COOPERATION
AND TO COOPERATE WITH U.S. FIRMS. FOR POLITICAL AND
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OTHER REASONS, HOWEVER, FRANCE WOULD HAVE TO BE A
FULL PARTNER IN ANY SUCH VENTURE. IT WOULD HAVE TO
INVOLVE JOINT DEVELOPMENT OF A NEW AIRCRAFT.
HARTMAN

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